

McMICHAEL, BURLINGAME, MULTZ & LIPTON

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

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DAVID BURLINGAME
CARROLL E. MULTZ, P.C.
EDWARD A. LIPTON
DONNA A. SALMON
DAVID L. SELL

September 4, 1996

Kathleen L. Sullivan/Industrial Enforcement Engineer
Colorado Department of Public Health and Environment
4300 Cherry Creek Dr. South
Denver, CO 80222-1530

RECEIVED

SEP 11 1996

WQCD Permit Section

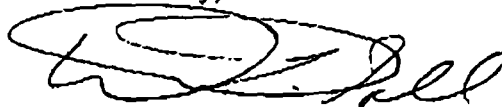
Dear Ms. Sullivan:

Upon review of the property survey conducted recently by Rico Properties, LLC ("Rico Properties") it is clear that Rico Development, Corporation ("RDC") does not own the Saint Louis Tunnel (Outfall Number 002A) and has not owned it since November of 1994. The Tunnel and surrounding property including the Martha claim, Mervin claim, Clan Campbell claim, Denver claim and Big Strike claim was transferred to Rico Properties, LLC by deed dated November 14, 1994. Rico Development Corporation hereby requests that the discharge permit # CO-0029793, be transferred to Rico Properties the proper permittee. Rico Properties has leased the land around the Tunnel and settling ponds to an asphalt and cement company and the tenant is currently using the discharge water in its operations.

The enclosed map provided to me by Rico Properties illustrates the current property ownership status. The highlighted area is owned by RDC the remaining land is owned either by Rico Properties, the National Forest Service or unknown third parties. The building at the North East corner of RDC's property represents the water treatment plant, RDC owns a little more than the south west corner of that building. The Saint Louis Tunnel is illustrated just to the North East of the water treatment plant and is labeled "tunnel". The road shown running behind the water treatment plant and in front of the tunnel is the old road, the new road runs on the West side of the water plant.

Please contact me with any questions concerning the above transfer.

Sincerely,

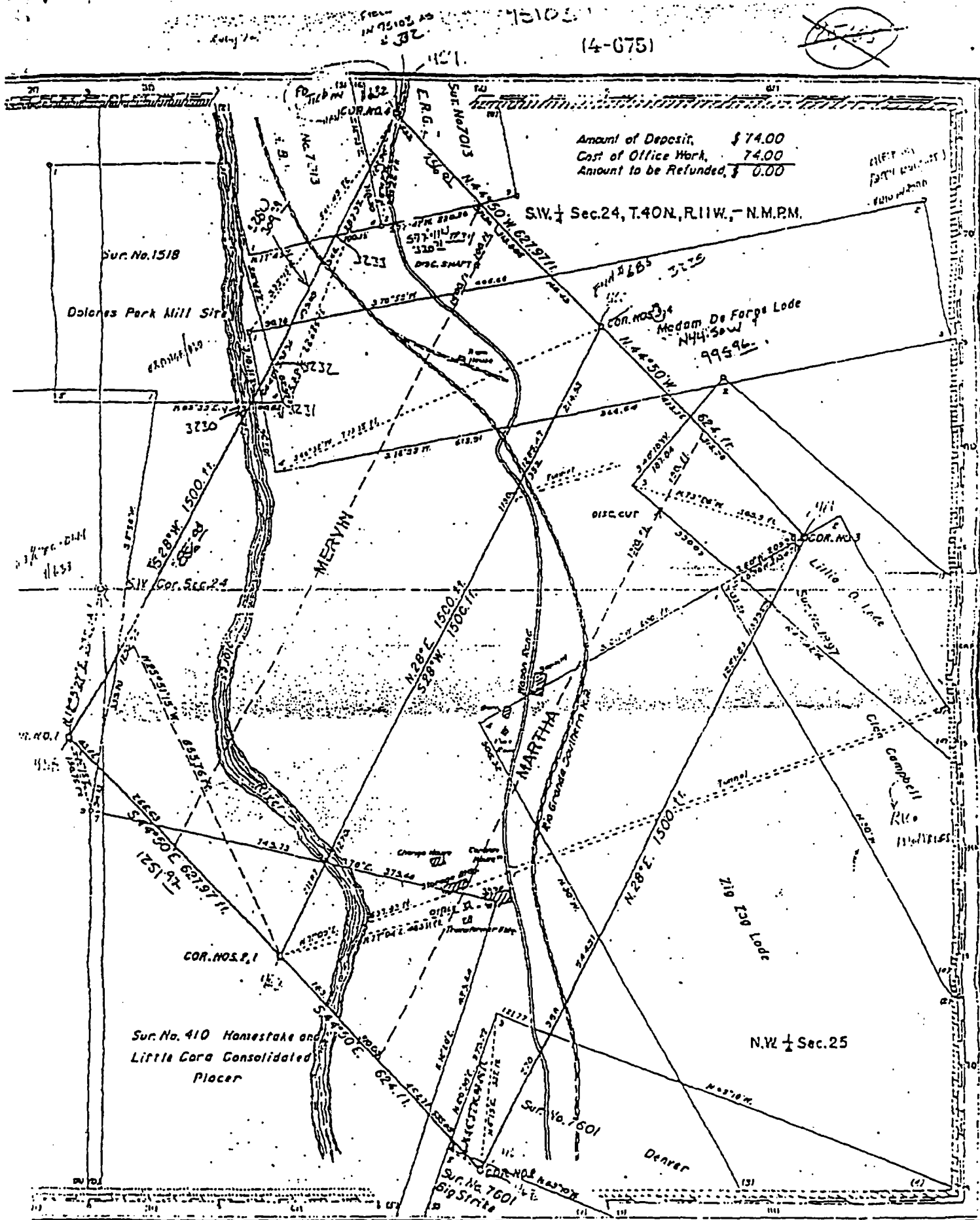


David L. Sell

encl.

cc: Mr. Webster

(14-075)



- RDC Property